Alexandria Daily Advertiser.

Vol. II.] WEDNESDAY, MARCH 11, 1807. [No. 1854.

SALES AT VENDUE.

On every Tuesday and Friday,
WILL BE SOLD,
AT THE VENDUE STORE,
Corner of Prince and Water streets,
A variety of *Dry Goods, Groceries, &c.*
Particulars of which will be expressed in the bills of the day.

ALL kinds of goods which are on limitation and the prices of which are established, can at any time be viewed and purchased at the lowest limitation and prices.

P. G. Marsteller, V. M.

FOR SALE,
An excellent Man Cook,
About 28 years of age. For terms apply to the Printer.
March 2. eo

MARSTELLER AND YOUNG,
HAVE JUST RECEIVED,
A quantity of *BEEF*—Boston inspection—No. 1 and 2—which will be sold on moderate terms. Feb. 3.—d

Marsteller and Young,
Have just received, and will sell low if taken from on board,
8000 bushels Turks Island Salt.
ALSO,
17 Tierces Barbadoes Molasses.
January 16. d

Wanted to Purchase,
A Negro Man Servant, who has been accustomed to wait in a family, and can be well recommended.—*Enquire of the Printer.*
November 10. d

Wanted to Purchase,
A FEW ACRES of LAND, on the north end of the town, to bind on the river or nearly so.
Apply to the Printer.
September 25. d

JUST RECEIVED
AND FOR SALE,
150 Sacks Liverpool stoved Salt, &
2000 Bushels do.
On very moderate terms.
Wm. Hodgson.
Jan. 3. d.

Just Received,
AND FOR SALE BY THE SUBSCRIBERS,
2 pipes L. P. Madeira WINE
2 half do. do. do.
6 pipes Cognac BRANDY, 4th proof.
Wadsworth & Butler,
WHO HAVE ON HAND,
20 hhds. Jamaica RUM, 4th proof
10 do. St. Croix do. 2d & 3d do.
8 do. New-England do.
5 pipes Holland GIN
2 do. country do.
1 hhd. L. market Madeira Wine } of a supe-
4 quarter casks do. do. } rior qu'ty
3 do. do. L. P. Teneriffe do. do.
6000 bushels Lisbon SALT.
January 1

For Sale or Rent,
A WELL finished three story *BRICK DWELLING HOUSE*, containing 7 rooms, with wash house, kitchen, smoke house, coach house and stable and other necessary buildings all of brick, situate on Royal street, a few doors from Gadsby's, and near the market. For particulars apply to
Robert Patton.
February 9. d

Thomas Reed & James Otlay
Painters and Glaziers,
HAVE commenced business in the above line, in Prince-street, nearly opposite the bank of Potomac, where they intend to keep the best of *PAINTS*, and every thing else in their line. Any orders, either in town or from the country, will be duly attended to, and executed on as reasonable terms as any in this place.
February 19. eo3t—law4t*

43 hhds. SUGAR of good quality,
33 bbls. do. do.
5 pipes 4th proof Brandy
4 qr. casks Sherry Wine } of excellent
11 do. do. Malaga do. } quality.
Boxes of Cotton Cards
Sacks of Licorice Root and Sago
Barrels of Clover and Herds Grass Seed
And a large quantity of Red Sole Leather,
For Sale by
Benjamin Shreve, Jun.
d

PUBLIC SALE.
On SATURDAY, the 14th of March, at 11 o'clock, will be sold on the premises,
One third part of that valuable Propesty *CENTER MILLS*, together with the Lands, improvements, &c. &c. adjoining, known heretofore by the name of *Four Mile Mills*, situated half way between Alexandria and George-Town. A long credit will be given for great part of the purchase money. The above property being so generally known it is supposed a more particular description is unnecessary.
And at the same time and place,
A variety of Houshold and Kitchen Furniture, &c. &c.
By order of Executors.
Philip G. Marsteller.
Feb. 28. d

Attention to this Notice.
THOSE persons who gave their bonds, (the list of which I have) will please to take notice that they ought to have settled with me in May last for property purchased by them.

I will, in one month from this date, if they do not come forward and pay off what is justly due, commence suits in chancery against them.

Benjamin Dulany.
February 14. (27.) d2w

Spanish Hides.
1500 large heavy Spanish Hides
6000 wt. fine green Coffee—and
600 wt Indigo, Spanish Flotant
For sale by
M. MILLER.
February 20.

A TANNERY.
FOR SALE OR RENT,
A TANNERY, with convenient improvements thereon, in the town of Centerville. Apply to Mr. Daniel Harrington at the premises, or to the subscriber in Alexandria.
JOHN G. LADD.
February 25 d

FOR RENT,
The STORE, on Prince-street, between Fairfax and Prince-street, lately in the occupation of Mr. Ramsay. It is well calculated for a dry or wet goods store. The rent moderate. Apply to
William Hodgson.
Sept. 25. d

Suwarrow Boots.
JOHN G. FRANCIS,
From New-York,
RESPECTFULLY informs the public, that he manufactures *Suwarrow Boots* with all the modern improvements, warranted equal to any in the United States. After many years of experience in his business, he has discovered a new method of retaining the elasticity in boots. He warrants to fit the leg be it ever so badly shaped. He makes boots of various descriptions, viz. Suwarrows—Fair-Tops, Three Quarters, Corsican Spring Toes, Duck Bills, Round Toes, Bonaparte's Graves, Jefferson's Boots and Shoes. He warrants to fit the Suwarrow equal to the tuck boots.—Gentlemen will please to call and see for themselves, at his shop in King-street, between Mr. Mott's and Mr Hodgkin's tavern.
January 5. d6m
N. B. He intends selling cheap for cash.

FOR SALE,
On advantageous terms,
The large commodious well-built three story *BRICK WAREHOUSE* on King-street occupied by Messrs. Richard Veitch & Co.—Apply to
James Patton.
October 20. d

6 Hhds. best retailing Molasses
40 barrels of nice Tanner's Oil.
20 bags of heavy Black Peper
3 pipes of French Brandy
3 do. Holland Gin, and
1 box of brown Platillas.
☞ *A part of the above Goods are a consignment, and will be sold unusually low by*
M. MILLER.
March 10. d

Printing, in its various branches, handsomely executed at this Office.

Wanted to Charter,

A VESSEL
Of about 2000 barrels burthen, to load for a port in ENGLAND, to which immediate dispatch will be given. Apply to
JAMES PATTON.
February 27. d

PUBLIC SALE.
On FRIDAY next will be sold at the Vendue Store,
2 *Likely Negro Boys,*
About 17 years of age on a credit of sixty days.
P. G. Marsteller.
March 10. d

PUBLIC SALE.
BY virtue of a deed of trust to the subscriber, to secure the payment of certain sums of money to the Bank of Alexandria, will be exposed to sale, at public auction, on their respective premises, on the 7th day of May next, sundry parcels of Land, lying upon Union, Water, Fairfax and Queen streets, and a twenty foot alley, on a credit of six, twelve, and eighteen months, the purchaser giving his notes with an approved indorser, for the payment of the purchase money in three equal payments, and further to secure the purchase money, a deed of trust upon the land purchased.
James Keith, Trustee.
February 28. dts

FOR SALE,
A LIKELY WOMAN, about twenty-five years of age, who has been accustomed to almost every kind of work,
Also, about fifteen hundred POST RAILS of white oak. Enquire of the Printer.
March 9 6t

For Sale,
(Now landing from sloop Mary-Ann.)
20 Quarter casks Sherry Wine.
And in Store,
6000 bushels salt suitable for the fisheries
8000 lbs. Coffee.
Wadsworth & Butler.
March 5. d

Salt, Wine, and Fruit.
The CARGO of the Brig AUGUSTA, Captain *Davis*, from Lisbon,
For sale, by
Lawrason and Fowle.
CONSISTING OF
2300 bushels *COARSE SALT*, suitable for the fisheries.
26 quarter casks Lisbon Wine.
28 boxes Lemons.
10 do. Oranges.
8 nests Baskets.
February 26. d

LANDING,
From the brig ACTIVE, and for sale, by
Lawrason & Fowle,
12 hhds. clay'd
13 do. Muscovado } Sugars.
20 barrels do.
February 20. d

50 barrels of Tar,
For Sale by
M. MILLER.
February 18. d

Public Sale.
ON MONDAY,
The 16th day of March (if fair, if not the next fair day) will be sold, at Preston, *the residence of the late* CHARLES ALEXANDER, *sen. Esquire, deceased, on a credit of nine months, with bond and approved security, for all sums above Ten Dollars—*
A variety of Houshold & Kitchen Furniture,
Late the property of the said deceased:
CONSISTING OF
Tables, chairs, side board, bureau, desks, book-case and secretary, looking-glasses, prints, &c. &c.—a quantity of valuable *PLATE*—Also a large and well chosen collection of LAW BOOKS, constituting in the whole, a most valuable law library; together with all the stock of horses, cattle, sheep and hogs, two waggons, one cart, and all the plantation utensils, with a variety of other articles too tedious to enumerate.
By order of
The Administratrix.
March 7. d

☞ The next and last ASSEMBLY for the season, will be on *Wednesday Evening*, the 11th instant. A Carriage, as usual, will attend the Ladies, on application at Mr. Gadsby's.
The MANAGERS.
March 7. d

☞ The Trustees of the Alexandria Academy, have engaged the Reverend OWEN F. MAGRATH as a Teacher of the Latin and Greek Languages, and Mr. JOSEPH COWING to teach English, Writing, Arithmetic, Geography and the Mathematics, in the Academy.—Their Schools will be opened for the reception of Scholars on *Wednesday*, the first of April next. In the mean time application may be made to either of those Teachers for admission of scholars. The price of tuition to be Thirty Dollars in the upper room and Twenty in the lower. The strictest attention will be paid by the Visitors and Trustees to the progress of the pupils in their respective studies.

An election of twelve Trustees will be held at the Academy, on the 2d Monday of April next, at 12 o'clock.
By order of the Trustees,
N. Fitzhugh, *Sec'y.*
March 6. eo

Extract from an act of the corporation of Alexandria for the extinguishment of fire.

Sec. 7. If any person who shall be present at any fire, shall neglect or refuse to obey the order or direction of any officer who shall be appointed by any fire company now established, or which may be hereafter established knowing him to be an officer, such person shall forfeit and pay the sum of five dollars: Provided the name of such officer shall have been first published in one of the public papers printed in the town.

At a meeting of the Relief Fire Company, held at Mr. Gadsby's tavern, on Thursday, 5th instant, 1807, the following officers were elected for the present year, viz.

Commanders.—William Harper 1st—Thomas Preston. 2d—G. Chapin, 3d.
Subordinate Directors.—Thomas Vowell, jun. 1st—A. Janney, 2d—John Young, 3d.
Regulators.—William Paton, jun. 1st—M. Butts, 2d—C. Slade, 3d—James Anderson, 4th.
Trustees.—John Johnston, 1st—William Newton, 2d—Joseph Harper, 3d.
Treasurer.—Thomas Vowell, junior.
Extract from the minutes,
Test.
Joshua Riddle, *Clerk.*
March 6. eo3t

NOTICE.
ALL persons who shall be in arrearages for Taxes, due the corporation of Alexandria, after the first day of April next, need look for no longer indulgence, but may be assured that I shall proceed to distress every delinquent. By order of council.
Abel Janney, *Collector.*
March 2 3w

JOHN G. LADD
Has just received and offers for sale,
67 chests fresh Teas,
Consisting of Imperial, Hyson Shulan, Young Hyson and Hyson Skin, of the best quality.
2 bales very fine India COTTONS.
Also, a quantity of SALT, suitable for the fishery.
Fresh Stone LIME, and
Red CLOVER SEED.
March 9 d

FRESH SEEDS.
NICHOLAS HINGSTON,
Respectfully informs the public, that he hath removed from King street, to his old stand, in Fairfax street,
Where he hath for sale,
RED and white Clover, just received, Timothy seed, Orchard Grass, Lucern—and will receive by first arrival from London, a quantity of Burnet and Rye Grass.
Also on hand, a general assortment of Kitchen Garden and Flower seeds and roots, Medicinal and Bird seeds, Pot Herbs, &c. a quantity of large Lombardy Poplars, young Locust and Peach trees, large Catalpas, and a variety of flowering trees and shrubs. Also, all kinds of Garden Utensils—best London made Pruning Knives, Flower Pots, Chimney Ornaments and Root Glasses, with a general assortment of China, Glass and Queen's ware, fresh Teas, and a good assortment of Groceries.
March 3 d5t,eo1w,law3t1May

From the National Intelligencer.

Supreme Court of the U. States,

FEBRUARY TERM, 1807.

The United States
vs.
Bollmam & Swartwout.

Habeas Corpus on a commitment for treason.

Chief Justice Marshall on the 21st ultimo, delivered the following opinion of the Court.

The prisoners having been brought before this court on a writ of habeas corpus, and the testimony on which they were committed having been fully examined and attentively considered, the court is now to declare the law upon their case.

This being a mere enquiry which without deciding upon guilt, precedes the institution of a prosecution, the question to be determined is whether the accused shall be discharged or held to trial, and if the latter in what place they are to be tried, and whether they shall be confined or admitted to bail. "If" says a very learned and accurate commentator, "upon this enquiry it manifestly appears that no such crime has been committed, or that the suspicion entertained of the prisoner was wholly groundless, in such cases only it is lawful totally to discharge him. Otherwise he must either be committed to prison or give bail."

The specific charge brought against the prisoners is treason in levying war against the U. S.

As there is no crime which can more excite and agitate the passions of men than treason, no charge demands more from the tribunal before which it is made a deliberate and temperate enquiry. Whether this enquiry be directed to the fact or to the law, none can be more solemn, none more important to the citizen or to the government—none can more affect the safety of both.

To prevent the possibility of those calamities which result from the extension of treason to offences of minor importance, that great fundamental law which defines and limits the various departments of our government has given a rule on the subject both to the legislature and the courts of America which neither can be permitted to transcend.

"Treason against the U. S. shall consist only in levying war against them, or in adhering to their enemies giving them aid & comfort."

To constitute that specific crime for which the prisoners now before the court have been committed, war must be actually levied against the U. S. However flagitious may be the crime of conspiring to subvert by force the government of our country, such conspiracy is not treason. To conspire to levy war, and actually to levy war, are distinct offences. The first must be brought into operation by the assemblage of men for a purpose treasonable in itself, or the fact of levying war cannot have been committed. So far has this principle been carried that, in a case reported by Ventris, and mentioned in some modern trials on criminal law, it has been determined that the actual enlistment of men to serve against the government does not amount to levying war. It is true that in that case the soldiers enlisted were to serve without the realm, but they were enlisted within it, and if the enlistment for a treasonable purpose could amount to levying war, then war had been actually levied.

It is not the intention of the court to say that no individual can be guilty of this crime who has not appeared in arms against his country. On the contrary, if war be actually levied, that is, if a body of men be actually assembled for the purpose of effecting by force, a treasonable purpose, all those who perform any part, however minute or however remote from the scene of action, and who are actually leagued in the general conspiracy, are to be considered as traitors. But there must be an actual assembling of men for the treasonable purpose, to constitute a levying of war.

Crimes so atrocious as those which have for their object the subversion by violence of those laws and those institutions which have been ordained in order to secure the peace and happiness of society, are not to escape punishment because they have not ripened into treason. The wisdom of the legislature is competent to provide for the case; and the framers of our constitution who not only defined and limited the crime but with jealous circumspection attempted to protect their limitation by providing that no person should be convicted of it, unless on the testimony of two witnesses to the same overt act, or on confession in open court, must have conceived it more safe that punishment in such cases should be ordained by general laws formed upon deliberation under the influence of no resentments, and without knowing on whom they were to operate, than that it should be inflicted under the influence of those passions which the occasion seldom fails to excite, and which a flexible definition of the crime, or a construction which would render it flexible, might bring into operation. It is therefore more safe as well as more consonant to the principles of our constitution that the crime of treason should not be extended by construction to doubtful cases; and that crimes not clearly within the constitutional definition should receive such punishment as the legislature in its wisdom may provide.

To complete the crime of levying war against the U. S. there must be an actual assemblage of men for the purpose of executing a treasonable design. In the case now before the court, a design to overturn the government of the U. S. in New Orleans by force, would have been unquestionably a design which if carried into execution would have been treason, and the assemblage of a body of men for the purpose of carrying it into execution, would amount to levying war against the U. S. but no conspiracy for this object, no enlisting of men to effect it, would be an actual levying of war.

In conformity with the principles now laid down have been the decisions heretofore made by the judges of the United States.

The opinions given by judge Paterson, and judge Iredell, in cases before them, imply an actual assembling of men though they rather designed to remark on the purpose to which the force was to be applied than on the nature of the force itself. Their opinions however contemplate the actual employment of force.

Judge Chase in the trial of Fries was more explicit.

He stated the opinion of the court to be "that if a body of people conspire and meditate an insurrection to resist or oppose the execution of any statute of the U. S. by force, they are only guilty of a high misdemeanor; but if they proceed to carry such intention into execution by force, that they are guilty of the treason of levying war; and the QUANTUM of the force employed, neither lessens nor increases the crime: whether by one hundred, or one thousand persons, is wholly immaterial. "The court are of opinion," continued judge Chase, on that occasion, "that a combination or conspiracy to levy war against the U. S. is not treason, unless combined with an attempt to carry such combination or conspiracy into execution; some actual force or violence must be used in pursuance of such design to levy war; but it is altogether immaterial whether the force used is sufficient to effectuate the object; any force connected with the intention, will constitute the crime of levying war."

The application of these general principles to the particular case before the court will depend on the testimony which has been exhibited against the accused.

The first deposition to be considered is that of general Eaton. This gentleman connects in one statement the purport of numerous conversations held with colonel Burr throughout the last winter. In the course of these conversations were communicated various criminal projects which seem to have been revolving in the mind of the projector. An expedition against Mexico seems to have been the first and most matured part of his plan, if indeed it did not constitute a distinct and separate plan, upon the success of which other schemes still more culpable, but not yet well digested, might depend. Maps and other information preparatory to its execution, and which would rather indicate that it was the immediate object, had been procured, and a considerable time, in repeated conversations, the whole efforts of col. Burr were directed to prove to the witness who was to have held a high command under him, the practicability of the enterprise, and in explaining to him the means by which it was to have been effected.

This deposition exhibits the various schemes of colonel Burr, and its materiality depends on connecting the prisoners at the bar in such of those schemes as were treasonable. For this purpose the affidavit of general Wilkinson comprehending in its body the substance of a letter from colonel Burr has been offered and was received by the circuit court. To the admission of this testimony great and serious objections have been made. It has been urged that it is a voluntary, or rather an extrajudicial affidavit made before a person not appearing to be a magistrate, and contains the substance only of a letter, of which the original is retained by the person who made the affidavit.

The objection that the affidavit is extrajudicial resolves itself into the question whether one magistrate may commit on an affidavit taken before another magistrate. For if he may, an affidavit made as the foundation of a commitment, ceases to be extrajudicial, and the person who makes it would be as liable to a prosecution for a perjury as if the warrant of commitment had been issued by the magistrate before whom the affidavit was made.

To decide that an affidavit made before one magistrate would not justify a commitment by another, might in many cases be productive of great inconvenience, and does not appear susceptible of abuse if the variety of the certificate be established. Such an affidavit seems admissible on the principle that before the accused is put upon his trial, all the proceedings are exparte. The court therefore over-rule this objection.

That which questions the character of the person who has on this occasion administered the oath is next to be considered.

The certificate from the office of the department of state has been deemed sufficient by the counsel for the prisoners, because the law does not require the appointment of magistrates for the territory of N. Orleans to be certified to that office, because the certificate is in itself informal, & because it does not appear that the magistrate had taken the oath required by the act of congress.

The first of these objections is not supported by the law of the case, and the second may be so readily corrected that the court has proceeded to consider the subject as if it were corrected, retaining however any final decision, if against the prisoners, until the correction shall be made.—With regard to the third the magistrate must be presumed to have taken the requisite oaths, since he is found acting as a magistrate.

On the admissibility of that part of the affidavit which purports to be as near the substance of the letter from col. Burr to general Wilkinson, as the latter could interpret it, a division of opinion has taken place in the court. Two judges are of opinion that as such testimony delivered in the presence of the prisoner on his trial would be totally inadmissible, neither can it be considered as a foundation for a commitment. Although in making a commitment the magistrate does not decide on the guilt of the prisoner, yet he does decide on the probable cause, and a long and painful imprisonment may be the consequence of his decision. This probable cause therefore ought to be proved by testimony in itself legal, and which though from the nature of the case it must be exparte, ought in most other respects to be such as a court and jury might hear.

Two judges are of opinion that in this incipient stage of the prosecution an affidavit stating the general purport of a letter may be read, particularly where the person in possession of it is at too great a distance to admit of its being obtained, and that a commitment may be founded on it.

Under this embarrassment it was deemed necessary to look into the affidavit for the purpose of discovering whether if admitted, it contains matter which would justify the commitment of the prisoners at the bar on the charge of treason.

That the letter from col. Burr to gen. Wilkinson relates to a military enterprise, meditated by the former has not been questioned. If this enterprize was against Mexico it would amount to a high misdemeanor—if against any of the territories of the United States, or if in its progress the subversion of the government of the United States in any of their territories was a mean clearly and necessarily to be employed, if such mean formed a substantive part of the plan, the assemblage of a body of men to effect it would be levying war against the U. S.

The letter is in language which furnishes no distinct view of the design of the writer. The co-operation however, which is stated to have been secured, points strongly to some expeditions against the territories of Spain. After making these general statements the writer becomes rather more explicit and says, "Burr's plan of operations is to move down rapidly from the falls on the 15th of November with the first five hundred or one thousand men in light boats now constructing for that purpose to be at Natchez between the 5th and 15th of Dec.—there to meet Wilkinson; then to determine whether it will be expedient in the first instance to seize on or to pass by Baton Rouge. The people of the country to which we are going are prepared to receive us.——Their agents now with Burr, say that if we will protect their religion and will not subject them to a foreign power, in three weeks all will be settled."

There is no e[illegible]ssion in these sentences which would [illegible]tify a suspicion that any territory of the [illegible]ted States was the object of the exped[illegible]

For what purpose s[illegible] —Why engage Spain [illegible]on Baton Rouge prize, if it was designed [illegible]inst this enter- "The people of the [illegible]inst the U. S.? we are going are prepare[illegible]ntry to which This language is peculiarly [illegible]receive us." a foreign country. It wi[illegible]ppropriate to tended that the terms would [illegible]t be con- ble to a territory of the Unite[illegible] inapplica- other terms would more aptly [illegible]tates, but idea, and Burr seems to consi[illegible]vey the self as giving information of whi[illegible] him- kinson was not possessed. When it [illegible] collected that he was the governor of a [illegible] ritory adjoining that which must have been threatened, if a territory of the U. States was threatened, and that he commanded the army, a part of which was stationed in that territory, the probability that the information communicated related to a foreign country, it must be admitted gains strength.

"Their agents now with Burr say that if we will protect their religion and will not subject them to a foreign power, in 3 weeks all will be settled."

This is apparently the language of a people who, from the contemplated change of their political situation, feared for their religion, and feared that they would be made the subjects of a foreign power.—That the Mexicans should entertain these apprehensions was natural and would readily be believed. They were if the representation made of their dispositions be correct, about to place themselves much in the power of men who possessed a faith different from theirs, and who by making them dependent on England, or the United S. would subject them to a foreign power.

That the people of New Orleans as a people, if really engaged in the conspiracy, should feel the same apprehensions, & require assurances on the same points, is by no means so obvious.

There certainly is not in the letter delivered to general Wilkinson, so far as that letter is laid before the court, one syllable which has a necessary or a natural reference to an enterprize against any territory of the United States.

That the bearer of this letter must be considered as acquainted with its contents, is not to be controverted. The letter and his own declarations evince the fact.

After stating himself to have passed through New York and the western states, and territories, without insinuating that he had performed on his route any act whatever which was connected with the enterprise, he states their object to be, "to carry an expedition to the Mexican provinces."

This statement may be considered as explanatory of the letter of col. Burr, if the expressions of that letter could be thought ambiguous.

But there are other declarations made by Mr. Swartwout, which constitute the difficulties of this case. On an enquiry from general Wilkinson, he said, "this territory would be revolutionized, where the people were ready to join them, and that there would be some seizing, he supposed, at New Orleans."

If these words import that the government established by the United States in any of its territories, was to be revolutionized by force, although merely as a step to, or a mean of exercising some greater projects, the design was unquestionably treasonable, and any assemblage of men for that purpose would amount to a levying of war. But on the import of the words a difference of opinion exists.—— Some of the judges suppose they refer to the territory against which the expedition was intended, others to that in which the above conversation was held.—Some consider the words if even applicable to a territory of the U. States, as alluding to a revolution to be effected by the people rather than by the party conducted by col. Burr.

But whether this treasonable intention be really imputable to the plan or not, it is admitted that it must have been carried into execution by an open assemblage of men for that purpose, previous to the arrest of the prisoner, in order to consummate the crime as to him; and a majority of the court is of opinion that the conversation of Mr. Swartwout affords no sufficient proof of such assembling.

The prisoner stated that col. Burr with the support of a powerful association, extending from New York to New Orleans, was levying an armed body of 7,000 men from the state of New York and the western states and territories, with a view to carry an expedition to the Mexican territories."

That the association, whatever may be

its purpose, is not treason, has been already stated. That levying an army may or may not be treason, and that this depends on the intention with which it is levied, and on the point to which the parties have advanced, has been also stated. The mere enlisting of men without assembling them is not levying war. The question then is, whether this evidence proves col. Burr to have advanced so far in levying an army as actually to have assembled them.

It is argued that since it cannot be necessary that the whole 7,000 men should have assembled, their commencing their march by detachments to the place of rendezvous, must be sufficient to constitute the crime.

This position is correct, with some qualification. It cannot be necessary that the whole army should assemble, and that the various parts which are to compose it should have combined. But it is necessary that there should be an actual assemblage, and therefore the evidence should make the fact unequivocal.

The travelling of individuals to the place of rendezvous would perhaps not be sufficient. This would be an equivocal act, and has no warlike appearance. The meeting of particular bodies of men and their marching from places of partial rendezvous, would be such an assemblage.

The particular words used by Mr. Swartwout are that col. Burr was levying an armed body of 7,000 men. If the term levying in this place imports that they were assembled, then such fact would amount, if the intention be against the U. States, to levying war. If it barely imports that he was enlisting or engaging them in his service, the fact would not amount to levying war.

It is thought sufficiently apparent that the latter is the sense in which the term was used. The fact alluded to, if taken in the former sense, is of a nature so to force itself upon the public view, that if the army had been actually assembled either together or in detachments, some evidence of such assembling, would have been laid before the court.

The words used by the prisoner in reference to seizing at New Orleans, and borrowing perhaps by force from the bank, though indicating a design to rob, and consequently importing a high offence, do not designate the specific crime of levying war against the U. S.

It is therefore the opinion of a majority of the court, that in the case of Samuel Swartwout there is not sufficient evidence of his levying war against the U. S. to justify his commitment on the charge of treason.

Against Erick Bollman there is still less testimony. Nothing has been said by him to support the charge that the enterprize in which he was engaged had any other object than was stated in the letter of col. Burr. Against him, therefore, there is no evidence to support a charge of treason.

That both the prisoners were engaged in a most culpable enterprize against the dominions of a power at peace with the U. S. those who admit the affidavit of gen. Wilkinson cannot doubt. But that no part of this crime was committed in the district of Columbia, is apparent. It is, therefore, the unanimous opinion of the court that they cannot be tried in this district.

The law read on the part of the prosecution is understood to apply only to offences committed on the high seas, or in any river, haven, bason or bay, not within the jurisdiction of any particular state. In those cases there is no court which has particular cognizance of the crime, and therefore the place in which the criminal shall be apprehended, or if he be apprehended where no court has exclusive jurisdiction, that to which he shall be first brought, is substituted for the place in which the offence was committed.

But in this case, a tribunal for the trial of the offence wherever it may have been committed, had been provided by Congress; and as the place where the prisoners were seized by the authority of the commander in chief, there existed such a tribunal. It would too be extremely dangerous to say, that because the prisoners were apprehended, not by a civil magistrate, but by the military power, there could be given by law a right to try the persons so seized in any place which the general might select, and to which he might direct them to be carried.

The act of Congress which the prisoners are supposed to have violated, describes as offenders those who begin or set on foot, or provide or prepare the means for any military expedition or enterprise to be carried on from thence against the dominions of a foreign prince or state, with whom the United States are at peace.

There is a want of precision in the description of the offence which might produce some difficulty in deciding what cases would come within it. But several other questions arise which a court consisting of four judges finds itself unable to decide, and therefore as the crime with which the prisoners stand charged has not been committed, the court can only direct them to be discharged. This is done with the less reluctance because the discharge does not acquit them from the offence which there is probable cause for supposing they have committed, and if those whose duty it is to protect the nation by prosecuting offenders against the laws shall suppose those who have been charged with treason to be proper objects for punishment, they will, when possessed of less exceptionable testimony, and when able to say at what place the offence has been committed, institute fresh proceedings against them.

The order of the court was as follows:

The arguments of the attorney general and of the Attorney of the U. S. for the district of Columbia, and the arguments of counsel for the prisoner having been heard; and the record of the circuit court for the county of Washington containing the order by which the said Samuel Swartwout was committed on the charge of treason in levying war against the United States, and the testimony on which the said commitment was made having been inspected and attentively considered, the court is of opinion that the testimony does not furnish probable cause for supposing that the said Samuel Swartwout has levied war against the United States, and does therefore direct that he be forthwith discharged from the custody of the marshal.

The same with regard to Bollman.

PROCLAMATION,

Concerning the abolishing several abuses in the Prussian armies.

In consequence of the unfortunate and almost total dissolution of several of the corps of the army, sent into the field against the French it has been impossible for his Prussian majesty, on account of a total want of authentic information, to distinguish truth from falsehood, rumors from facts, to reward merit, or to inflict punishment. His majesty therefore must postpone drawing any conclusions until that period, when his majesty shall be enabled to do so with more certainty and precision. His majesty is far from the idea of ascribing to his brave armies all the calamities and misfortunes which he himself and his dominions have experienced. It is, on the contrary, very satisfactory to his majesty that many of his soldiers, from the highest to the lowest rank, have distinguished themselves by a steady courage, continued perseverance, and a true sense of honor. But, unfortunately, instances have incurred (proved by facts, that speak for themselves) of such a nature as not to be passed over any longer in silence; on the contrary they ought most severely and most publicly to be animadverted on, as an example for the future. Amongst those whose conduct is most highly reprehensible are,

1st. All those officers who have more or less participated in the unheard of conduct of the surrender to the enemy of the fortress of Stettin, Custrin, Spandau and Magdeburg.

2. All those officers who, not being present at the capitulation of their respective corps, nevertheless offered themselves voluntarily to surrender, as belonging to such corps, nay, even persuaded their comrades and their subalterns to take a similar scandalous resolution.

3. Lastly, all those who, without having received any furlongh, or having been made prisoners, have absented themselves from the armies, and went either home or elsewhere, &c.

In consequence of which his majesty has, for the present, dismissed his service with disgrace, for ever, the major & commander at Erfurth, Von Pruschenck, because, though the city of Erfurth surrendered, there was no necessity to deliver up the forts of Petersburg and Cirianburg, if the commandant had taken the necessary precautions. At Stettin, the lieutenant general and governor, Von Romberg, is cashiered, as well as the major general Von Knobelsdorff. Major general Von Rauch, as commander in second, is dismissed with disgrace, and for ever.

The major and fort engineer of Stettin, Von Harenberg, is broke.

In Custrin, the colonel and commander, Von Ingerslebin, is condemned to be shot.

In Spandau, the major and commander, Von Benkennorff, is dismissed with disgrace.

In Magdeburg, the general of infantry, Von Kleist, and the commander, colonel du Troscell, are dismissed with disgrace.

All the remaining generals who were at Magdeburg at the time, and who, in the council of war, voted for the surrender of the fortress, are likewise dismissed with disgrace; as also all those officers who have signed any of the above mentioned capitulations.

2dly. All the officers of the corps of Heuloche who belonged to it at the affairs of Pasenwalk and Prestzlow, who arrived at Stettin before the capitulation of that place, and who joined those that were included in that capitulation, are also dismissed the service for ever. All officers, who, previous to the capitulation concluded at Aclam, had passed that town, but returned in order to surrender themselves prisoners, are also dismissed the service.

3dly. All officers who, during the retreat of their corps left them without having a furlough, or without having been taken prisoners, and shall have returned home or elsewhere; and all officers not belonging to any corps that was obliged to capitulate, and who have gone over to the enemy in order to get passports that they might return without molestation, are all dismissed the service for ever.

Further, his majesty reserves to himself to bring to account all those officers, high and low, particularly those in the commissary department, whose actions still remain doubtful, or who in the eyes of the army have shewn themselves unworthy of the trust reposed in them, and, if upon the future investigation of their conduct, the above stated facts are found to be more criminal than at present appears, then, and in that case, the punishment will be proportionably severe; but in order to prevent future dereliction from duty, his majesty has thought proper to publish the following ordinances:

1. All governors and commandants who in future, from fear of a bombardment, or under the pretext of a want of the necessary requisites for supporting a siege, or under any groundless pretence whatever, be it what it may, shall neglect or refuse to defend with whatever means they possess, the fortress entrusted to their charge, shall be shot without any mercy.

Every commander or governor of a fortress who shall consent to any secret articles (in the capitulation which the enemy may force them to conclude) for their own benefit or that of any of their subalterns, as has been the case at Magdeburgh, shall be cashiered.

2. Every regiment which does not obey the orders received to attack, or without orders leaves the field of battle, after it has been made known to his majesty, shall be cashiered and drafted into other regiments.

3. Every officer who in future shall be guilty of the misdemeanors first above described in Nos. 2 and 3, or shall leave the field of battle without being wounded, shall be cashiered with infamy: each soldier who is running away throws away his arms, shall be immediately shot.

4. Every officer who shall meet with any dispersed soldiers shall rally them, and lead them to the first corps, or to another place of rendezvous. If he does not perform this duty he shall be accountable for his conduct.

5. The regimental and company surgeons are to be as near their rerpective corps on the day of battle as possible, and they must be provided with all the requisites of their profession, under pain of being dismissed with disgrace.

6. The ammunition waggons of each corps ought always to be attended by a staff officer or captain, to preserve regulation in the march. Those officers commanded to attend this duty shall be cashiered in case of neglecting the same.

Whoever wantonly fires a musket to create a false alarm, shall be immediately shot.

Any waggon driver who shall unyoke his horses from his waggon, in order to run away with them shall be shot. But as it is abundantly necessary to produce a serious alteration in the commissary department of the army, the plan of reform to be adopted shall be communicated as soon as possible to the different corps.

7. On any unforeseen occurrences, for example, on extraordinary forced marches, retreats, &c. every commanding officer of a corps shall be entitled to make a requisition upon the inhabitants for the necessary quantity of provisions and forage for men and horses under his command, giving his receipt for the same; but if he exceeds the necessary quantity in his requisition he shall be shot.

8. The officers of the general staff with their adjutants, are to take charge of conducting the several corps, and are never to leave their respective commands. The pioneers are to be at the head of each column, that they may be ready to repair the roads, or to cut out new communications. The officers of the general staff must take care of every thing that can facilitate or accelerate the march of their respective corps. If the army is to form before the enemy, those officers must reconnoitre and discover the best ways for retreat, as also carefully mark out the ground.

9. As long as the war continues the subaltern as well as the privates, if they distinguish themselves for courage and presence of mind, shall be equally entitled to promotion as any prince or nobleman in the Prussian dominions. He alone who has committed crimes shall be excluded from being an officer.

10. The widow of every soldier who has distinguished himself and dies in the field of battle, shall receive a pension proportionate to the rank of her husband.

11. It is hardly necessary to say that every act of insubordination is severely punishable.——Every one is already well acquainted with the regulations of the army on this subject. Yet as experience has lately shewn the contrary on several occasions, it is now brought to the serious recollection of the army, that every one may be completely aware of the punishment attending insubordination.

12. Extortion of money from, or plundering and illusage of the inhabitants, and such like outrageous conduct, shall be punished with death.

13. All Prussian subjects who are found serving the enemy, and taken with arms in their hands, shall be shot without mercy.

This proclamation which it is intended shall be made known to every individual in the army, shall not only be read at the head of every regiment, but every individual shall take a copy thereof for the better regulation of his conduct.

An abstract shall be made of this proclamation, so far as regards the subalterns, privates, and waggon drivers, which shall be read to them in their native language; and the reading thereof shall be repeated every week or fourteen days; as also the same measures shall be taken with our former proclamation respecting the distribution of medals of merit.

FREDERICK WILLIAM.

Ortelsburg, 1st Dec. 1806.

Alexandria Daily Advertiser.

WEDNESDAY, MARCH 11.

Captain Doane, of schooner Hannah, who arrived at Boston from Martinique, contradicts the report received via New-York, viz. that in consequence of a petition from the French merchants no Americans were to be allowed after a certain date, to transact business at Mart. except through a French commission merchant—The fact is their petition was rejected.

Public Sale.

ON FRIDAY next, at half past 3 o'clock, will be sold, on a credit, on Lawrason's wharf,

10 *hhds. good Sugar.*

P. G. Marsteller.

March 11. 3t

Public Sale.

On TUESDAY next, will be sold, at the Vendue-Store,

An elegant double figured Harpsicord.

P. G. Marsteller.

March 11. dts

Seed Oats.

WANTED TO PURCHASE,

150 bushels of SEED OATS, of a good quality. *Apply to*

John Gadsby.

March 11. 3t

English Cheese.

Just landed from the ship CENTURY, *from* LIVERPOOL,

A quantity of Cheshire and single Gloucester CHEESE, of an excellent quality,

For sale by

Benjamin Shreve, jun.

March 11. d

Spanish Hides.

700 prime HIDES that will average 25 pounds, *for sale by*

JOHN TUCKER,

WHO HAS ALSO ON HAND,

4000 bushels Turks-Island SALT; first quality Muscovado SUGAR in hogsheads and barrels; and COFFEE in bags.

March 11. 3t

The Subscriber has for Sale,

In addition to his former stock of GROCERIES *and* FRUITS,

Fresh Lisbon LEMONS by the box, in fine order.

Best Spanish Segars by the box.

Cheshire and single Gloucester Cheese.

Muskatel and Bloom Raisins by the box,

Soft shelled Almonds by the bale or retail;

And excellent Cider by the barrel.

A. WILLIS.

March 11. 6w5

VALUABLE MEDICINES.

The following Valuable Medicines, justly celebrated through the United States for their superior efficacy in the cure of the several disorders for which they are recommended, from *Hannah Lee's* Patent Family Medicine Store, New-York, are sold only by the subscriber, at his store in King-street:

Hamilton's Grand Restorative,

Is recommended as an invaluable medicine for the speedy and permanent cure of nervous disorders or such as arise from the immoderate use of tea, strong liquors, long residence in warm climates, excessive weakness, and a general relaxation of the system.

Hamilton's Essence and Extract of Mustard.

A safe and effectual remedy for the gout, rheumatism, sprains, pains in the face and neck, &c.

Hamilton's Worm-destroying Lozenges.

By which many thousands have been relieved from the distressing and dangerous malady of worms and other obstructions in the stomach and bowels.

Hamilton's Elixir.

A sovereign remedy for colds, obstinate coughs, asthmas, sore throats and approaching consumptions.

Hahn's Anti-bilious Pills.

Are justly esteemed for carrying off the superfluous bile from the stomach and preventing morbid secretions and their consequences, bilious and malignant fevers, &c. These pills are perfectly mild in their operation, and may be used with safety by persons of every age and in every situation.

The Sovereign Ointment for the Itch.

A speedy and effectual remedy, generally removing the complaint at one application. It may be safely used by persons of every age.

The Anodyne Elixir.

For the cure of every kind of head ache.

Hahn's genuine Eye-Water.

An excellent remedy for all disorders of the eyes, many persons having been cured of it when nearly deprived of sight.

Tooth-ache Drops.

Give immediate relief in the most violent attacks.

The Restorative Powder for the Teeth and Gums.

Cleanses and strengthens them, and preserves the enamel of the teeth from decay.

Gowland's Lotion, and the genuine Persian Lotion.

Both celebrated in the fashionable world as most excellent cosmetics and perfectly safe.

Hahn's true and genuine Corn-Plaister.

A certain remedy for corns, speedily eradicating them without giving pain.

Ague and Fever Drops.

Justly esteemed for their great efficacy in the cure of agues and intermittent fevers.

Damask Lip Salve, and Indian Vegetable Specific.

James Kennedy, sen.

Alexandria, October 18. eS

ADDITIONAL EVIDENCE.

OF the great efficacy of the *Patent and Family Medicines*, prepared by the late Richard Lee, jun. which for near eight years past have acquired throughout the United States a celebrity hitherto unequalled.

Philadelphia, August 9, 1800.

Being desirous to make public for the good of others, the excellent quality of HAMILTON'S ELIXIR, prepared by the late Mr. Lee, I have sent you the following account of the benefit I have received from it, which I hope will induce others to give it a trial. In consequence of a bruise on the breast received from a fall, my health grew bad, my breathing became very difficult, and frequently I have had suddenly to rise up in my bed with all the horrors of immediate suffocation. Add to these a constant pain in my breast and a cough, a great loss of strength and flesh, and you may conceive that my symptoms evidently indicated an approaching consumption. The advice of a most eminent physician was resorted to, and afterwards a second was called in, without giving me any relief. Another physician who knew me and the circumstances of my case, *advised me to give Hamilton's Elixir a trial, saying, he had used it in his practice, and always found it do much good.* A bottle was procured from Mr. Birch's, and I found relief before I *had taken one half of it.* I continued to use it and was soon strong enough to attend to business. On taking cold, some of my former symptoms return, but are always removed by a dose or two of the elixir.

GEO. BENNER, jun.

No. 11, Budd-street, Philadelphia.

Mrs. H. Lee.

From Luther Martin, Esq. late Attorney-General of the State of Maryland.

I comply with your request in stating my opinion of Hamilton's Elixir. It has been used in my family for two or three years past, with uniform success, whenever colds, coughs, or similar complaints, have rendered medicine necessary I have myself found it an excellent and agreeable remedy for a very painful and troublesome affection of the breast, accompanied with soreness, and with obstructed and difficult breathing.

On these accounts I do not hesitate to recommend Hamilton's Elixir as a valuable medicine, and deserving public attention,

LUTHER MARTIN.

HAMILTON'S ELIXIR

Is recommended as the best remedy for coughs, colds, asthmas, hooping-cough, approaching consumptions, and most disorders of the breast and lungs. This preparation will prove a valuable acquisition to public speakers who may be subject to temporary hoarseness, thickness of speech, &c. In long confirmed Asthmatic complaints where a cure can speedily be expected, this medicine affords *immediate relief*, moderating the fits of coughing, and rendering their recurrence less frequent. On children afflicted with the hooping cough, the like beneficial effects may confidently be expected.

ITCH CURED.

By *once using* Lee's Sovereign Ointment, which, although used for 20 years in Europe and for near 8 years in America, has never been known to fail in any one instance. It is perfectly *innocent*, warranted not to contain a particle or *mercury* ot any pernicious ingredient, and may be used with perfect safety on an infant, being a vegetable preparation and entirely free from the offensive smell which attends most other remedies.

HAMILTON'S LOZENGES,

Which have cured more children and adults of disorders proceeding from worms, than all the medicines heretofore discovered. In addition to the great cures mentioned in the letters from the chancellor of the state of Maryland, the Rev. Mr. Molthier and others, lately published the following are submitted to the public; being selected for the purpose of shewing the *mild* yet *powerful* qualities of this extraordinary medicine, which, although so mild in its operation, is competent to expel the formidable tape worm.

An infant, aged 5 weeks, of Mr. Henry Ewbank, taylor, Charles-street, Baltimore, was dangerously afflicted with convulsion fits, so that his life was despaired of, but was perfectly cured by one dose of Hamilton's Worm Lozenges, which expelled several worms, the undoubted cause of the child's disorder,

Letter frow Mr. Ackerman, bricklayer, Magazine-street, near Broadway, Jan. 24, 1802.

It would be ungrateful were I to withhold my testimony in favor of Hamilton's Worm Destroying Lozenges. I had been between five and six years past much indisposed, and latterly often tormented with severe griping and pains in the bowels, troubled with offensive breath, with violent feverish fits, and other obvious symptoms of worms; but frequently hearing your Worm Lozenges recommended in cases similar to mine, I determined on a trial of them, as my last resource. The first dose evaeuated twelve or 13 feet of a tape worm; two other doses were taken, which brought away a quantity of matter broken like skins and pieces of worms. I suppose the tape worm, voided at different times, must in the whole have exceeded forty feet. The almost incredible benefit I received from this medicine, induced me to give a dose to a child of mine who was pining and sickly: it produced the same good effect in this instance, expelling a worm of a different kind, from nine to twelve inches long, and at the same time restoring a good state of health.

HENRY ACKERMAN.

ALSO,

The following new and valuable Medicine, just received and for sale as above.

(Price, Two Dollars per bottle.)

Dr. Tissot's celebrated Gout and Rheumatic Drops.

NOTHING is of more importance than the preservation of health—this common place remark however is TOO OFTEN FORGOTTEN, whilst we are active and strong—and prevention of pain, which is superior to its cure, is not sufficiently attended to by any description of persons. Among those disorders which require the most early and unremitting efforts to eradicate and overcome, none have a stronger claim upon our notice than the Gout, Rheumatism, Lumbago, Weakness of the Joints, Sprains, Gleets, the Stone and Gravel, the Cramp and every species of Rheumatic Pains from whatever cause they may have originated—and hence every relief which can be administered is too valuable to be forgotten.—Those persons whose avocations peculiarly expose them to colds, &c. cannot be too anxious always to possess immediate aid. Sea-faring persons, travellers, &c. ought constantly to carry with them that medicine which will counteract the unpleasans effects of their perilous duties, and especially those pains to which their situation must expose them. To those who reside in or visit the West-Indies, and other warm climates, they will be found upon trial to convey the most lasting service, and will gradually destroy all tendency to disease in the human frame, and preserve health and vigor. Although a great variety of prescriptions have been published to cure the disorders enumerated above, none has yet equalled the GOUT AND RHEUMATIC DROPS OF DR. TISSOT, which are celebrated throughout the European continent, and whose unbounded benefits are fully authenticated by certificates already published of gentlemen so well known in America, being of the first consequence in the state of Maryland: General Charles Ridgely, of Hampton; John Gibson, Esq. one of the directors of the Farmers' Bank of Maryland; John Macubbin, Esq. Mrs. Macubbin, his wife; and Mrs. Ryan, of Calton-

Certificate of Mr. Thomas Kelso, butcher.

About three weeks since I was most violently attacked with Rheumatic pains throughout my whole frame, in so severe a manner as not to be able to turn in my bed without assistance, proceeding as I suppose from a severe cold; on being advised by a friend to apply Dr. Tissot's Gout and Rheumatic Drops, I accordingly obtained from the agents Messrs. George Dobbin and Murphy, two bottles, the application of which, under God, have perfectly restored me to health. I am therefore induced with confidence to recommend this medicine as a certain cure for the above disorder.

THOMAS KELSO.

Baltimore, July 22d, 1806.

Certificate of Mr. Thomas Campbell, Harnessmaker

It would be an act of injustice to withhold my testimony of the salutary effects of Doctor Tissot's Gout and Rheumatic Drops, as I have experienced a very unequivocal instance of their virtues and efficacy. I was afflicted with two severe attacks of what is usually called Dead Palsy, from which I partially recovered, bu was obliged to use crutches to aid me in walking when I left home; to this were joined violent Rheumatic pains, the result of the affliction, and I had feared the disorder would accompany me through life; but providentially was recommended to apply at George Dobbin and Murphy's for Dr. Tissot's Drops, and after using only one bottle, found myself perfectly liberated from my disorder, and am now, thank God, as free from pain as if I never had been afflicted. Finding this medicine operate so powerfully on myself, I determined to apply it internally to my child, a boy only eleven months old, who was then reduced almost to a skeleton with the Bowel Complaint; after administering it four times to him, his complaint was entirely removed, and he is now recovering his strength with great rapidity.

TH. CAMPBELL.

Baltimore, July 28, 1806.

FOR SALE,

A WELL finished three story BRICK HOUSE and LOT, on King-street, the most commercial street in town and in the center of it.

A well finished two story Brick House and Lot, on Duke-street, near the river.

A Lot of Ground a short mile above town, containing five and one eighth acres, near the river.

Twelve hundred and eighty acres of military Land, in the state of Tennessee, on Obey's river, a branch of the Cumberland river,

A tract of Land containing 510 acres, in Greenbriar county, Virginia.

Also, a very convenient and well finished Brick House and Lot, in George-Town, with Brick Stable, Coach House, &c.

Also, a two story Frame House and Lot, in George-Town, and Bake House—the lot is 38 feet 4 inches front and 107 feet deep.—A part payment will be expected down, and a liberal credit given for the balance.

If the George-Town property is not sold by private sale, it will be offered at public sale, on the first Monday in May next.

Samuel Craig.

January 22. 2aw

Valuable Lands for Sale.

On the 23d day of April next, I will sell, at public sale, for ready money,

A valuable Tract of Land, now in the occupation of Dr. *James H. Blake*; situate in Fairfax county, in the commonwealth of Virginia, on the south side of Pohick creek, containing about 825 acres, be the same more or less. This land was sold and conveyed in the year 1795 by Col. William Fitzhugh to James H. Blake, Richard Parrott, and Anthony Banning, and in 1798 by them conveyed to me in trust to be sold upon the happening of certain events which have taken place. Col. William Fitzhugh held this land under his ancestors, who together with himself had possessed it without any interfering adverse claim from any quarter very many years previous to the year 1795; so that it is believed there can be no possible doubt in the title: but selling as I do as a trustee, I will not give any warrantee except against myself and those claiming under me. A further description is conceived unnecessary, as the sale will be made on the land on the day above mentioned, and commence at the hour of 11 o'clock in the forenoon.

Leonard Mackall.

February 27. 6awSt

10 bales Beerboom Gurrahs,

For Sale by

Joseph Riddle.

March 2. d3tlawtf

TO BE SOLD.

For ready Money,

To the highest bidder, at public auction, at DAWSON'S TAVERN, in the county of Loudoun and town of LEESBURG, on *Wednesday*, the 6th of May next, if fair; if not, the next fair day; by virtue of a decree of the court of the United States, for the fifth circuit, in the Virginia district, pronounced at May term last, in a suit depending in said court between the executors of *Daniel Mildred*, deceased, who was surviving partner of *Mildred* and *Roberts*, plaintiffs—and *Samuel Hough* and others defendants—

300 acres of Land, near Leesburg, on the waters of Tuscarora, in the county of Loudoun—three acres of Meadow near Leesburg, and a House and Lot in Leesburg; or so much thereof as will be sufficient to raise certain sums of money, interest and costs in said decree mentioned.

William Mann,
Armstead Long,
Charles F. Mercer, } Com'rs.

Richmond, March 6. 2awts

TO BE SOLD,

For ready Money,

To the highest bidder, at Public Auction at DAWSON'S TAVERN, in the town of LEESBURG, in the county of Loudon, on WEDNESDAY, the 6th day of May next (if fair, if not, the first fair day) by virtue of a decree of the court of the United States for the 5th circuit in the Virginia district, pronounced in November term 1806, in a suit depending between the executors of *Daniel Mildred*, deceased, who was surviving partner of *Mildred* and *Roberts*, plaintiffs—and *Samuel Hough*, *Mahlon Hough* and others, defendants—

112 acres of Land, lying in the county of Loudon, on the Kitockton Run, being a part of a tract called Scotland Tract—A tract containing 38 acres, with a Merchant Mill thereon, also a part of the before mentioned tract—Also 108 acres of Land, likewise a part of Scotland Tract, or so much thereof as will be sufficient to raise certain sums of money, interest and costs in said decree mentioned.

William Mann,
Armstead Long,
Charles F. Mercer, } Com'rs.

Richmond, March 6. 2awts

PUBLIC SALE.

TO BE SOLD, on the premises, on MONDAY, the 6th day of April next,

The Lots of Ground, with the Improvements, now occupied by Mr. *Hugh Smith*, together with the whole remaining part of the said two Lots, containing half a square, save 43 feet 6 inches on Royal, and 112 feet on Queen-street, deeded to and now in the occupation of *John Mandeville*.—The said Lots bounded on the south by the lots formerly belonging to the late *William Ramsay*; on the east by Royal-street, on the north by Queen-street, and on the west by Pitt-street. One third of the purchase money to be paid down; the remainder in 1, 2, or 3 years, as may suit the purchaser. A deed of trust and bond will be required to secure the payment of principal and interest thereon, annually. If any person wish to contract by private sale, previous to April, they may apply to *John Longden*, who is authorised to bargain for the same. If the property be not sold it will be leased on ground rent for ever, on very low terms.

February 25. 2awts

Patent Elastic Suspenders,

To be had, wholesale and retail, of the Patentee, next door below Mr. Alexander McKenzie's, lower end of Prince-street, Alexandria.

THEY surpass any yet extant, for ease, elegance, &c. Masters of vessels and other gentlemen going to the West-Indies, Spanish Main, &c. may be furnished with an assortment, and a great allowance to those who purchase by the quantity.

N. B. The buttons on the back parts of the waistband ought to be placed the same distance from each other, as the two center buttons on the Suspenders, to prevent improper straining, and thereby destroying the ease designed in the construction of the article.

Richard Horwell.

ALSO,

Red, Green, & Black Morocco Leather,

By the dozen or single skin—for sale at Horwell's Patent Suspender Manufactory, in Prince-street.

PRINTED DAILY BY
SAMUEL SNOWDEN.

Vol. VII.]

SALES AT

On every Tuesd
WILL BE
AT THE VEN
Corner of Prince a
A variety of Dry Goo
Particulars of which
the bills of
ALL kinds of goo
sion and the prices of
can at any time be viewe
lowest limitation and pri
P. G.

MARSTELLER
HAVE JUST
A quantity of *BEEF*
No. 1 and 2—which
rate terms.

Marsteller a
Have just received, and
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17 Tierces Barb
January 16.

Wanted to
A Negro Man Serva
customed to wait in a f
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November 10.

Wanted to
A FEW ACRES o
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nearly so.
September 23.

JUST RE
AND FO
150 Sacks Liver
2600 Bushels do.
On very mo
Jan. 3.

Just Re
AND FOR SALE BY
2 pipes L. P. M
2 half do. do.
6 pipes Cognac
Wadsw
WHO HAVE
20 hhds. Jamaica R
10 do. St. Croix
3 do. New-Engl
5 pipes Holland G
2 do. country d
1 hhd. L. market M
4 quarter casks d
3 do. do. L
4000 bushels Lisbon S
January 1

For Sale
A WELL finishe
DWELLING
rooms, with wash
house, coach house a
cessary buildings all
al street, a few doo
near the market. Fo
February 9.

13 hhds. SUGA
33 bbls. do.
5 pipes 4th proo
4 qr. casks Sherr
11 do. do. Malag
Boxes of Cotton C
Sacks of Licorice
Barrels of Clover
And a large quanti
For Sale b
Benj

SEINE
2,000 pounds exce
A
10 quarter casks
10 boxes Spermac
12 kegs fresh Rai
For s
January 19.

FOR
On advan
The large comm
story *BRICK WAR*
occupied by Messrs.
Apply to
October 20.